

FINAL JUDGMENT

Pending before the Court in the above-captioned cases are the Complaints filed by Plaintiff Secor View Technologies LLC (“Plaintiff”) against Defendants Nissan North America, Inc.; Jaguar Land Rover North America, LLC; BMW of North America, LLC; and Rolls-Royce Motor Cars NA, LLC, (collectively, “Defendants”) for infringement of U.S. Patent No. 5,289,321 (“the ’321 Patent”). Also pending before the Court in the above-captioned cases are the Answers and Counterclaims filed by Defendants against Plaintiff seeking, *inter alia*, a declaration that the ’321 Patent is invalid.

Pursuant to the agreement of the parties and Rule 54 of the Federal Rules of Civil Procedure, the Court does hereby enter judgment as follows:

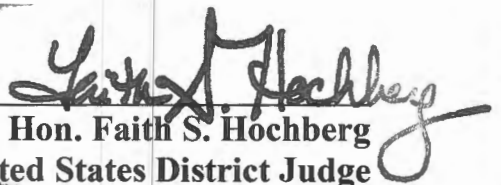
1. By an Opinion (Dkt. No. 90) and an Order (Dkt. No. 91) dated November 22, 2013, the Court held that the terms “minimize lateral protuberance from the side of the vehicle;” “avoiding unnecessary airflow turbulence;” and “low angle” were indefinite;
2. As a result of that Opinion and Order, each and every claim of the ’321 Patent is invalid as indefinite under section 112(b) of title 35 of the United States Code;
3. Judgment shall be entered against Plaintiff and in favor of Defendants that the ’321 Patent is invalid;
4. Plaintiff shall take nothing from its claims against Defendants;

5. This judgment constitutes a final judgment as to Plaintiff's claims of patent infringement against Defendants and a final judgment as to Defendants' declaratory judgment claim of patent invalidity against Plaintiff. Any and all of Defendants' remaining declaratory judgment claims against Plaintiff are hereby **DISMISSED WITHOUT PREJUDICE**;

6. Plaintiff hereby waives all rights to any appeal of this Final Judgment or to any findings by this Court in the above-captioned actions and agrees not to appeal this Final Judgment.

7. All costs and fees shall be borne by the party that incurred them.

IT IS SO ORDERED this 16 day of December 2013


Hon. Faith S. Hochberg
United States District Judge

We hereby consent to the form and entry of this Final Judgment:

s/ Bruce D. Vargo

Bruce D. Vargo

SCARPONE & VARGO LLC

50 Park Place, Suite 1003

Newark, New Jersey 07102

Tel: (973) 623-4101

Fax: (973) 623-4181

bvargo@scarponevargo.com

Cabrach J. Connor

TAYLOR DUNHAM, LLP

301 Congress Avenue, Suite 1050

Austin, TX 78701

Tel: (512) 473-2257

Fax: (512) 478-4409

cconnor@taylordunham.com

David A. Skeels

Todd I. Blumenfeld

FRIEDMAN, SUDER & COOKE

Tindall Square Warehouse No. 1

604 East 4th Street, Suite 200

Fort Worth, Texas 76102

Tel: (817) 334-0400

Fax: (817) 334-0401

skeels@fsclaw.com

blumenfeld@fsclaw.com

*Attorneys for Plaintiff Secor View
Technologies, LLC*

s/ Arnold B. Calmann

Arnold B. Calmann

Katherine A. Escanlar

SAIBER LLC

One Gateway Center, 10th Floor

Newark, New Jersey 07102-5311

Tel: 973-622-3333

Fax: 973-286-2465

abc@saiber.com

kescanlar@saiber.com

Matthew J. Moore

LATHAM & WATKINS LLP

555 Eleventh Street, N.W., Suite 1000

Washington, D.C. 20004-1304

Tel: +1.202.637.2200

Fax: +1.202.637.2201

matthew.moore@lw.com

james.bender@lw.com

Clement J. Naples

LATHAM & WATKINS LLP

885 Third Avenue

New York, NY 10022-4834

Tel: +1.212.906.1331

Fax: +1.212.751.4864

clement.naples@lw.com

*Attorneys for Defendant Jaguar Land
Rover North America, LLC*

s/ Christina L. Saveriano
Eric I. Abraham
Christina L. Saveriano
HILL WALLACK LLP
202 Carnegie Center
Princeton, New Jersey 08540
Tel: (609) 924-0808
Fax: (609) 452-1888
eia@hillwallack.com
csaveriano@hillwallack.com

John Caracappa
Kfir B. Levy
Stephanie L. Schonewald
STEPTOE & JOHNSON LLP
1330 Connecticut Ave NW
Washington, D.C. 20036
Tel: 202-429-6267
Fax: 202-261-0597
jcaracappa@steptoe.com
klevy@steptoe.com
sschonew@steptoe.com

Amanda K. Streff
STEPTOE & JOHNSON LLP
115 South LaSalle Street, Suite 3100
Chicago, IL 60603
Tel: 312-577-1300
Fax: 312-577-1370
astreff@steptoe.com

*Attorneys for Defendant Nissan North
America, Inc.*

s/Christopher J. Dalton
Christopher J. Dalton
Rosemary J. Bruno
**BUCHANAN, INGERSOLL & ROONEY,
PC**
550 Broad Street, Suite 810
Newark, NJ 07102-4599
Tel: (973) 273-9800
Fax: 973-2739430
christopher.dalton@bipc.com
rosemary.bruno@bipc.com

Joseph P. Lavelle
Andrew N. Stein
DLA PIPER LLP (US)
500 Eighth Street, NW
Washington, DC 20004
Tel: (202) 799-4780
Fax: (202) 799-5021
joe.lavelle@dlapiper.com
andrew.stein@dlapiper.com

*Attorney for Defendants BMW of North
America LLC and Rolls-Royce Motor
Cars NA, LLC*

Dated: December 13, 2013